



QUALCOMM Incorporated

2001 Pennsylvania Ave., NW ■ Suite 650 ■ Washington, DC 20006 ■ Tel: 202.263.0020

www.qualcomm.com

September 23, 2005

Via ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Oral Ex Parte Presentation in WT Docket No. 05-7

Dear Ms. Dortch:

On behalf of QUALCOMM Incorporated ("QUALCOMM"), this is to report that today, I spoke with James Schlichting of the Wireless Telecommunications Bureau concerning QUALCOMM's Petition for Declaratory Ruling in the above-referenced proceeding.

During the discussion, I provided Mr. Schlichting with some brief background information on the MediaFLO service that QUALCOMM, through its MediaFLO USA subsidiary, is launching on its Channel 55 spectrum, and I explained the vague aspects of Section 27.60 (b) (iii) of the Commission's rules for which QUALCOMM needs clarification in order to launch MediaFLO in certain markets, in which QUALCOMM would have a very low level of interference to adjacent channel or co-channel TV and DTV stations. I explained that the Commission does not have a rule that provides that a 700 MHz licensee, such as QUALCOMM, cannot cause any interference whatsoever to these stations, but instead, Section 27.60 provides that QUALCOMM must operate in accordance with the rules "to reduce the potential for interference."

Finally, I explained that while QUALCOMM has proposed that it be allowed to cause up to 2% interference to the over-the-air reception of TV and DTV stations, the same level of interference that a DTV station is permitted to cause to DTV or TV stations on the very same spectrum as QUALCOMM will be operating on, since the overwhelming majority of people watch TV via cable or satellite, in fact, the actual number of people who would experience interference in these markets would be a fraction of that 2%. I emphasized that the substantial benefits to the public interest that will flow from the innovative MediaFLO service more than outweigh this minimal interference.

Respectfully submitted,

/s/ Dean R. Brenner

Dean R. Brenner
Senior Director, Government Affairs
QUALCOMM Incorporated

Cc: James Schlichting